



CITY OF FREMONT NEBRASKA

REGULAR CITY COUNCIL MEETING MINUTES September 14, 2021 - 7:00 PM City Council Chambers 400 East Military, Fremont NE

CITY COUNCIL REGULAR MEETING AGENDA

7:00 PM

MEETING CALLED TO ORDER Following the Pledge of Allegiance, Mayor Spellerberg called the City Council Special Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas

ROLL CALL Roll call showed Council Members Gibson, Ellis, Ganem, Yerger, Sookram, Legband, and Jensen present. 7 members present.

MAYOR COMMENTS

(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

1. Motion to adopt current agenda for the September 14, 2021 Regular Meeting. Motion made by Yerger to move item two to preceding the executive session item twenty-one, and item three following the executive session item twenty-one. Motion died due to lack of a second. Motion made by Legband, seconded by Gibson to adopt current agenda for the September 14, 2021 Regular Meeting. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Yerger. Motion carried.
2. Consider appointment of Council Member to Ward 3. Mayor Spellerberg selected James Vaughan as his appointment to the Ward 3 vacancy. Motion made by Gibson, Seconded by Legband to approve the appointment by the Mayor of James Vaughan to the vacant Ward 3 Council position. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram Voting Nay: Yerger. Motion carried.
3. Oath of Office for appointed Council Member. The City Attorney administered the oath of office.

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately.

Motion made by Jensen, Seconded by Sookram to approve consent agenda items 4, 5, 7 & 8.
Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

4. Motion to approve September 1, 2021 through September 14, 2021 claims and authorize checks to be drawn on the proper accounts
5. Receive Report of the Treasury
6. Dispense with and approve August 31, 2021 Special City Council Meeting and Regular City Council Meeting Minutes, September 7, 2021 Special City Council Meeting Minutes, September 8, 2021 Special City Council Meeting Minutes and September 9, 2021 Special City Council Meeting Minutes. The City Clerk stated that the August 31, 2021 City Council Regular Meeting minutes had been updated to include the receipt and approval of Resolution 2021-130 and requested an amendment to the minutes. Motion made by Yerger, Seconded by Legband to amend the minutes as requested. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, Seconded by Ganem to approve the August 31, 2021 Special City Council Meeting and Regular City Council Meeting Minutes as amended and September 7, 2021 Special City Council Meeting Minutes, September 8, 2021 Special City Council Meeting Minutes and September 9, 2021 Special City Council Meeting Minutes. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
7. Resolution 2021-136 to recommend approval of Liquor Manager Applications for Brian Meves at Baker's 323 Fuel Center and Baker's Supermarket 323
8. Resolution 2021-137 to recommend approval of Liquor Manager Application for Kinsey Bosselman at Pump & Pantry 48
9. Motion to authorize purchase of a Cat Model 259d3 Compact Terrain Loader (Skid Steer) Motion made by Jensen, Seconded by Sookram to authorize purchase of a Cat Model 259d3 Compact Terrain Loader. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
10. Motion to authorize purchase of JLG Toucan 26E Mast Boom Lift from Nebraska Machinery Company (NMC). Council Member Yerger made a motion to continue the item. Motion died due to lack of a second. Motion made by Legband, seconded by Gibson to authorize purchase of JLG Toucan 26E Mast Boom Lift from Nebraska Machinery Company. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Yerger. Motion carried.

UNFINISHED BUSINESS: Requires individual associated action

11. Ordinance 5581 to approve requested change of zone from R, Rural to GC, General Commercial on property generally located between E 23rd St. and Elk Lane, approximately 200 feet west of Deer Crossing (final reading) Motion made by Yerger, Seconded by Sookram to approve final reading of Ordinance 5581. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Ordinance 5581 was approved.

12. Ordinance 5580 to approve voluntary annexation of property generally located between E.23rd St. and Elk Lane approximately 200 feet west of Deer Crossing (final reading) Motion made by Ganem, Seconded by Yerger to approve Ordinance 5580. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Ordinance 5580 was approved.
13. Resolution 2021-113 to approve request of the Diers 7th Addition final plat on property generally located between E 23rd St. and Elk Lane, approximately 200 feet west of Deer Crossing. Motion made by Yerger, Seconded by Sookram to approve Resolution 2021-113. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
14. Ordinance 5583 establishing rate schedules for Natural Gas System (final reading) Motion made by Legband, seconded by Jensen to hold final reading of Ordinance 5583. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Ordinance 5583 is approved
15. Ordinance 5585 adopting the 2021-2023 biennial budget statement termed the Appropriation Bill (final reading). Motion made by Legband, seconded by Jensen to receive presentation from the Finance Director into the record. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, seconded by Gibson to amend the Ordinance to remove all references to the Bell, Yager and 23rd realignment construction project listed in the capital improvement plan for fiscal years 2024, 2025 and 2026. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, seconded by Ellis to strike 2.5-million-dollar hangar facility listed in 2025 and 2026 using fund reserves. Voting Yea: Gibson, Ellis, Yerger Voting Nay: Ganem, Jensen, Sookram, Legband, Vaughan. Motion failed. Motion made by Yerger, seconded by Ellis to receive documents into the record from Council Member Yerger. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, seconded by Ellis to amend the budget before the Council tonight to fund the first year of six firefighters. Voting yea: Gibson, Ellis, Yerger Voting Nay: Ganem, Jensen, Sookram, Legband, Vaughan. Motion failed. Motion made by Jensen, Seconded by Legband to hold final reading of the Ordinance. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Ordinance 5585 was approved.
16. Resolution 2021-134 setting property tax request at \$6,342,636.26 for fiscal year 2022 and \$6,342,636.26 for fiscal year 2023. Motion made by Legband, Seconded by Sookram to approve Resolution 2021-134. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Yerger. Motion carried.

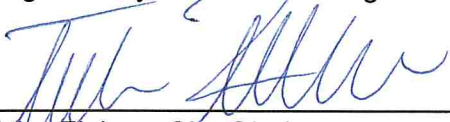
NEW BUSINESS: Requires individual associated action

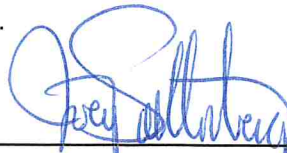
17. Discussion Northeast Nebraska Solid Waste Coalition (NNSWC) budget and rates for the fiscal year ending September 30, 2021. Council Member Jensen provided the report, and Mayor Spellerberg opened the item to the public for comment.
18. Resolution 2021-136 approving an additional 1% increase in base limitation on restricted fund authority for the 2021-2023 biennial budget period. Motion made by Yerger, seconded by Jensen to amend the Resolution to add the word super prior to the word majority in item #1 of the resolved statement. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Jensen, seconded by Ellis to approve Resolution 2021-136 as amended. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Motion carried.
19. Discuss Commitment of General Funds for 2021-2023 budget. Motion made by Jensen, Seconded by Legband to continue the item to the next meeting. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
20. Resolution 2021-138 to approve Change Order Number 1 for Lincoln Avenue and 29th Street Paving Project. Motion made by Legband, seconded by Gibson to approve Resolution 2021-138. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
21. Executive Session for the purpose and discussion of Ward 3 City Council member replacement applications and recommendation. Item withdrawn by Council Member Yerger,

ADJOURNMENT Motion made by Gibson, seconded by Jensen to adjourn; time: 10:55 P.M. Voting Yea: Yerger, Ellis, Gibson, Legband, Ganem, Sookram, Jensen, Vaughan. Motion carried.

Agenda posted at the Municipal Building on September 8, 2021 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on September 8, 2021. This meeting is preceded by publicized notice in the Fremont Tribune on the last Thursday of the preceding month and the agenda, including any notice of study session or public hearing, is displayed in the Municipal Building and is open to the public. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on the agenda.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA Regular City Council Meeting Minutes for September 14, 2021.


Tyler Ficken, City Clerk


Joey Spellerberg, Mayor